

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6584 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -HATHAURI District- SAMASTIPUR

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1. Mithilesh Kumar Singh @ Mithilesh Pd. Singh Son of Late Ram Kumar Singh, R/o Village - Chapar, Post - Chapar, P.S. - Mohiuddinnagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. M.Rab(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 427, 353, 379, 120B of the Indian Penal Code.

The prosecution case is that the petitioner being panchayat Secretary in league with the panchayat Mukhiya demolished the panchayat bhawan but deposited only Rs. 25,000/- in the treasury and the rest amount was misappropriated.

It is submitted by learned counsel for the petitioner that Aam Sabha of the gram panchayat was called on 05.10.2013 and 24.09.2015 and in pursuance to the resolution of the Aam Sabha the building was demolished for construction of a new building. Earlier Ramakant Sahni, Up Mukhiya of the panchayat lodged Hathauri P.S. Case No. 14 of 2014 levelling accusation under Sections 406, 420, 427, 468, 504, 506 of the

Indian Penal Code against the then panchayat Mukhiya Rajesh Paswan but on conclusion of the investigation the final form was submitted. In the earlier case the petitioner was not made accused.

Considering the thrust of accusation against the panchayat Mukhiya, in the earlier case the petitioner was not made accused and in the earlier case the accusation was not found true, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Hathauri P.S. Case No. 25 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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